



STATE OF MISSOURI
DEPARTMENT OF INSURANCE

IN THE MATTER OF:

Robin L. Nemec

Applicant.

Serve at:

327 Trailview
St. Peters MO 63376

Case No. 06A000116

REFUSAL TO ISSUE TITLE INSURANCE AGENT LICENSE

On April 25, 2006, Kathryn Turner, as senior counsel for the Investigations Section of the Division of Consumer Affairs, submitted a petition to the Director alleging cause for refusing to issue the title insurance agent license of Robin L. Nemec ("Applicant"). After reviewing the petition, and the investigative report, the Director issues the following findings of fact, conclusions of law and summary order:

FINDINGS OF FACT

1. Robin L. Nemec is a Missouri resident with an address of 327 Trailview, St. Peters, Missouri 63376.
2. On February 16, 2006, Robin L. Nemec ("Applicant") filed a Uniform Application for Individual Insurance Producer License ("Application") with the Department of Insurance seeking licensure as a title insurance agent.
3. Question 36-1. of the Application asks,

Have you ever been convicted of, or are you currently charged with, committing a crime, whether or not adjudication was withheld?
4. Applicant checked the "No" answer to this question.

5. On July 16, 1993, Applicant appeared in the United States District Court, Eastern District of Missouri, entered a plea of guilty to one count of embezzlement and was sentenced to five months in the custody of the Federal Bureau of Prisons and three years of supervision. Applicant's sentence was served in home detention with work release.
6. This order is in the public interest.

CONCLUSIONS OF LAW

7. Section 375.141.1 RSMo Cum Supp 2005 provides:

The director may suspend, revoke, refuse to issue or refuse to renew an insurance producer license for any one or more of the following causes:

(3) ...attempting to obtain a license through material misrepresentation or fraud;

(8) Using fraudulent...or dishonest practices...or demonstrating ...untrustworthiness...in the conduct of business in this state...;

(9) Been convicted of a felony or crime involving moral turpitude;

8. Applicant has attempted to obtain a license through material misrepresentation or fraud by failing to disclose a conviction for a felony or crime involving moral turpitude, a ground for refusal under Section 375.141.1(3) RSMo Cum Supp 2005.
9. Applicant used fraudulent or dishonest practices, and demonstrated untrustworthiness in the conduct of business in this state, a ground for refusal under Section 375.141.1(8) RSMo Cum Supp 2005.
10. Applicant has been convicted of a felony or crime involving moral turpitude, a ground for refusal under Section 375.141.1(9) RSMo Cum Supp 2005.
11. This order is in the public interest.

ORDER

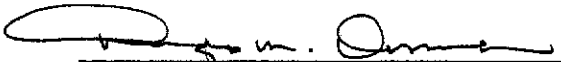
IT IS THEREFORE ORDERED that the issuance of the title insurance agent license of Applicant Robin L. Nemec is hereby summarily REFUSED.

SO ORDERED.

WITNESS MY HAND THIS 25th DAY OF April, 2006.



W. DALE FINKE
DIRECTOR



DOUGLAS M. OMMEN
DEPUTY DIRECTOR
GENERAL COUNSEL


NOTICE

TO: Applicant and any unnamed persons aggrieved by this Order:

You may request a hearing in this matter. You may do so by filing a complaint with the Administrative Hearing Commission of Missouri, P.O. Box 1557, Jefferson City, Missouri within thirty (30) days after the mailing of this notice pursuant to Section 621.120 RSMo.

CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of April, 2006, a copy of the foregoing notice, order and petition was served upon the Applicant in this matter by certified mail.



Karen Crutchfield
Senior Office Support Staff